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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

STIPULATED ~~[PROPOSED]~~ ORDER
MODIFYING SEALING PROCEDURES
RELATING TO CLASS
CERTIFICATION BRIEFING AND
RELATED DOCUMENTS

Judge: Hon. James Donato

1 WHEREAS, this Court's November 18, 2022 Amended Scheduling Order set a schedule
2 for briefing associated with Consumer Plaintiffs' and Advertiser Plaintiffs' motions for class
3 certification, and any related *Daubert* motions. As set forth in the scheduling order, the last date
4 to file class certification and class *Daubert* motions is September 15, 2023, and briefing is
5 scheduled to be complete on those motions on November 3, 2023. Dkt. 379.

6 WHEREAS, the parties anticipate that briefing on the Consumer Plaintiffs' and Advertiser
7 Plaintiffs' respective motions for class certification (and any *Daubert* motions) would involve
8 "voluminous or multiple administrative motions to seal ... if normal procedures were followed,"
9 including motions to consider whether multiple non-parties' information should be sealed.
10 Accordingly, the parties believe that these filings are subject to the procedure set forth in Paragraph
11 31 of the Court's Standing Order for Civil Cases, which calls for the filing of a single combined
12 administrative motion to seal covering all unopposed sealing requests, and a single combined
13 administrative motion to seal covering all opposed requests, following the completion of briefing
14 ("Omnibus Sealing Motions").

15 WHEREAS, given that Paragraph 31 appears to suggest that the Omnibus Sealing Motions
16 will supersede any interim sealing motions that would ordinarily accompany the parties' opening
17 briefs, opposition briefs, and reply briefs, the parties believe it will be most efficient for the Court,
18 the parties, and any implicated non-parties to handle all sealing issues in Omnibus Sealing Motions
19 to be filed following the completion of class certification and related *Daubert* briefing.

20 WHEREAS, the parties have conferred and jointly propose, subject to the Court's approval,
21 certain modifications to this Court's procedures for sealing of filings associated with class
22 certification and any related *Daubert* briefing for efficiency and to reduce burden on the Court, the
23 parties, and any implicated non-parties. The parties are mindful of the Court's instructions that
24 sealing requests should be few, narrowly tailored, and well-supported. *See* Dkt. 344.

25 WHEREAS, the parties understand that this Court has approved similar modifications to
26 its sealing procedures in similar contexts. *In re Google Play Store Antitrust Litig.*, 3:21-md-02981-
27 JD, Dkts. 246, 256, 496 (N.D. Cal.).

28 NOW, THEREFORE, IT IS STIPULATED AND AGREED SUBJECT TO THE

COURT'S APPROVAL:

- The parties shall file redacted versions of class certification and (if necessary) *Daubert* briefs, as well as any responses and replies to such motions, and any associated supporting documents, as separate entries on the ECF docket; and
- The parties shall also contemporaneously file unredacted copies of all documents on the ECF docket provisionally under seal, along with a one-page interim sealing motion which may indicate that the reasons for sealing will be discussed in a forthcoming Omnibus Sealing Motion; and
- The parties and any non-parties shall jointly file Omnibus Sealing Motions on November 21, 2023 (two-and-a-half weeks after completion of class certification and *Daubert* motion briefing), or any date that this Court chooses following the completion of class certification and *Daubert* motion briefing.

IT IS SO STIPULATED.

DATED: September 12, 2023

Respectfully submitted,

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SIGNATURE ATTESTATION

This document is being filed through the Electronic Case Filing (ECF) system by attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of September 2023, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System.

By: /s/ Sonal N. Mehta
Sonal N. Mehta

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 9/20/2023



JAMES DONATO
United States District Judge